

A RESOLUTION FINDING, DETERMINING  
AND RATIFYING AN INDUCEMENT RESOLUTION  
OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
AUTHORIZING THE ISSUANCE AND SALE OF  
\$2,000,000 ECONOMIC REVENUE BONDS OF THE  
CITY OF FORT WAYNE, INDIANA,  
FOR THE PURPOSE OF INDUCING THE APPLICANT,  
WAYNE CANDIES, INC.  
TO PROCEED WITH THE ACQUISITION,  
CONSTRUCTION AND EQUIPPING OF THE PROJECT.

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer")  
is authorized by I.C. §36-7-12 (the "Act") to issue revenue  
bonds for the financing of economic development facilities,  
the funds from said financing to be used for the acquisition,  
construction and equipping of said facilities, and said faci-  
lities to be either sold or leased to another person or dir-  
ectly owned by another person; and

WHEREAS, Wayne Candies, Inc. (the "Applicant") has advised  
the Fort Wayne Economic Development Commission and the Issuer  
that it proposes that the Issuer lease the same to the Applicant  
or loan proceeds of an economic development financing to the  
Applicant for the same, said economic development facility to be  
acquisition of land, buildings, and equipment and modernizing  
of equipment for use in the manufacturing and marketing of candy  
products located at 1501 E. Berry Street, Fort Wayne, Indiana  
(the "Project"); and

WHEREAS, the diversification of industry and an increase in  
approximately 48 jobs immediately and 200 jobs within three years  
to be achieved by the acquisition, construction and equipping of  
the Project will be of public benefit to the health, safety and  
general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne  
Economic Development Commission, it would appear that the  
financing of the Project would be of public benefit to the  
health, safety and general welfare of the Issuer and its  
citizens; and

1           WHEREAS, the acquisition and construction of the facility  
2 will not have an adverse effect on any similar facility al-  
3 ready constructed or operating in or about Fort Wayne,  
4 Indiana.

5           NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
6 THE CITY OF FORT WAYNE, INDIANA:

7           SECTION 1. The Common Council finds, determines, rati-  
8 fies and confirms the promotion of diversification of economic  
9 development and job opportunities in and near Fort Wayne, Indiana  
10 and in Allen County, is desirable to preserve the health, safety  
11 and general welfare of the citizens of the Issuer; and that it  
12 is in the public interest that Fort Wayne Economic Development  
13 Commission and said Issuer take such action as it lawfully may  
14 to encourage diversification of industry and promotion of job  
15 opportunities in and near said Issuer.

16          SECTION 2. The Common Council further finds, determines,  
17 ratifies and confirms that the issuance and sale of revenue  
18 bonds in an amount not to exceed \$2,000,000 of the Issuer  
19 under the Act for the acquisition, construction and equipping  
20 of the Project and the sale or leasing of such a financing  
21 to the Applicant for such purposes will serve the public  
22 purpose referred to above, in accordance with the Act.

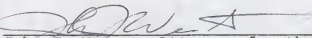
23          SECTION 3. In order to induce the Applicant to proceed  
24 with the acquisition, construction and equipping of the Project,  
25 the Common Council hereby finds, determines, ratifies and  
26 confirms that (i) it will take or cause to be taken such actions  
27 pursuant to the Act as may be required to implement the aforesaid  
28 financing, or as it may deem appropriate in pursuance thereof,  
29 provided that all of the foregoing shall be mutually acceptable  
30 to the Issuer and the Applicant; and (ii) it will adopt such  
31 ordinances and resolutions and authorize the execution and  
32 delivery of such instruments and the taking of such action as may

1 be necessary and advisable for the authorization, issuance and  
2 sale of said economic development bonds.

3 SECTION 4. All costs of the Project incurred after the  
4 passage of this Inducement Resolution, including reimbursement  
5 or repayment of the Applicant of monies expended by the Applicant  
6 for planning, engineering, interest paid during construction,  
7 underwriting expenses, attorney and bond counsel fees, acquisition,  
8 construction and equipping of the Project will be permitted to be  
9 included as part of the bond issue to finance said Project, and  
10 the Issuer will thereafter either sell or lease the same to the  
11 Applicant or loan the proceeds of such financing to the Applicant  
12 for the same purposes.

13  
14   
15 COUNCILMAN

16 APPROVED AS TO FORM AND  
17 LEGALITY.

18   
19 John J. Wernet, Attorney for the  
20 Economic Development Commission  
21 Dated this 3rd day of December, 1981.  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

Read the first time in full and on motion by \_\_\_\_\_,  
seconded by \_\_\_\_\_, and duly adopted, read the second time  
by title and referred to the Committee \_\_\_\_\_ (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by V. Schmidt,  
seconded by Talarico, and duly adopted, placed on its  
passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 12-7-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) No. B-93-81  
on the 7th day of December, 19 81.

ATTEST:  
Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

(SEAL)  
John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 7th day of December, 19 81, at the hour of  
7:30 o'clock P. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 7th day of December  
19 81, at the hour of 7:30 o'clock P. M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

SUSPENSION OF RULES

BILL NO. R-81-12-01

COUNCILMAN ~~MAN~~ WOMAN V. SCHMIDT, MOVED TO SUSPEND THE RULES ON THE  
PASSAGE OF BILL NO. R-81-12-01, AT THE MEETING OF THE  
COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA HELD ON Monday  
THE 7th DAY OF December, 19 81. SAID MOTION WAS  
SECONDED BY COUNCILMAN Talarico, AND DULY PASSED BY  
UNANIMOUS VOTE OF ALL LEGALLY ELECTED MEMBERS OF THE COMMON COUNCIL. THE  
ABOVE BILL NO. R-81-12-01 WAS THEN PLACED ON PASSAGE.

DATE: 12-7-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

John Nuckols  
PRESIDING OFFICER

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>BURNS</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>EISBART</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>GIAQUINTA</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>NUCKOLS</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT, D.</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT, V.</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHOMBURG</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>STIER</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>TALARICO</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA,  
AS Resolution No R-93-81.

ATTEST:

(SEAL)

DATE: 12-7-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

DIGEST SHEET

Q-81-12-01

TITLE OF ORDINANCE Inducement Resolution for an issue of \$2,000,000.00DEPARTMENT REQUESTING ORDINANCE Economic Development Commission

SYNOPSIS OF ORDINANCE Purchase of a 3.5 acre site located at 1501 E. Berry  
Street, Fort Wayne, Indiana, including land, buildings, equipment, and  
modernizing of equipment for use in the manufacturing and marketing  
of candy products on application of Wayne Candies, Inc.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

EFFECT OF PASSAGE Purchase of land, buildings, equipment and moderniza-  
tion of equipment creating 200 jobs within three years at an estimated  
annual payroll of approximately \$4,000,000.

EFFECT OF NON-PASSAGE None of the above.MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) None.

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_